

AMENDED IN ASSEMBLY MARCH 22, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2069

**Introduced by Assembly Member Maze
(Principal coauthor: Assembly Member Liu)
(Coauthors: Assembly Members Bass, Cogdill, Daucher,
Goldberg, La Malfa, La Suer, Richman, Villines, and Yee)**

February 16, 2006

An act to add Article 5 (commencing with Section 1390) to Chapter 2 of Division 4 of Title 1 of the Government Code, relating to public employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2069, as amended, Maze. Public employment: applicant qualifications.

Existing law establishes various requirements regarding the employment of public officers and employees.

This bill would prohibit a public agency, as defined, in cases in which a requirement for a position with that agency is the possession of a particular degree from an accredited institution, from hiring an applicant for the position who does not possess that degree from an accredited institution. The bill would also prohibit a public agency, if that agency's job description requires an applicant to furnish a diploma from an accredited institution to the agency's hiring entity as a condition of employment, from hiring an applicant unless the applicant has provided the entity with his or her diploma from an accredited institution, *as specified*. By imposing additional duties on local agencies with respect to their employment practices, the bill would impose a state mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Article 5 (commencing with Section 1390) is
2 added to Chapter 2 of Division 4 of Title 1 of the Government
3 Code, to read:

4
5 Article 5. Applicants for Public Employment
6

7 1390. As used in this article, the following terms apply:

8 (a) "Accredited" has the same meaning set forth in Section
9 94712 of the Education Code.

10 (b) "Public agency" means the state or any agency or
11 department of the state, and any city, county, city and county,
12 special district, school district, municipal corporation, political
13 subdivision, joint powers authority, or any board, commission, or
14 agency thereof.

15 1391. (a) If a public agency establishes a job description or
16 classification for a specific position, and a requirement for the
17 position is the possession of a particular degree from an
18 accredited institution, the public agency shall not hire an
19 applicant for that position who does not possess the requisite
20 degree from an accredited institution.

21 (b) If a job description for a position with a public agency
22 requires that an applicant furnish a diploma from an accredited
23 institution to the public agency's hiring entity as a condition of
24 employment, the public agency shall not hire an applicant unless
25 the applicant has provided the entity with his or her diploma from
26 an accredited institution.

1 (c) *The requirement to provide a diploma from an accredited*
2 *institution to the public agency's hiring entity refers to a diploma*
3 *from a postsecondary school and does not refer to a high school*
4 *diploma or General Education Development (GED) equivalent.*

5 SEC. 2. If the Commission on State Mandates determines that
6 this act contains costs mandated by the state, reimbursement to
7 local agencies and school districts for those costs shall be made
8 pursuant to Part 7 (commencing with Section 17500) of Division
9 4 of Title 2 of the Government Code.